

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

MARVIN CLYDE OLIVE

*Plaintiff,*

V.

YTL INTERNATIONAL, INC., and  
TRACTOR SUPPLY COMPANY

*Defendants*

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C.A. NO. 3:20-CV-00366

**AGREED MOTION FOR CONTINUANCE OF DOCKET CONTROL ORDER**

COME NOW, Marvin Clyde Olive, Plaintiff, along with Defendants, YTL International, Inc., and Tractor Supply Company, and file this Agreed Motion for Continuance of Docket Control Order and in support would show as follows:

The initial Docket Control Order in this case was entered March 12, 2021. Doc. 18.

On February 2, 2022, Plaintiff filed an Agreed Motion for Continuance of Various Pretrial Deadlines in which the parties sought to move various deadlines including expert deadlines, discovery deadlines, dispositive motion deadlines, and other pretrial motion deadlines. Doc. 21. The Court granted this Motion on February 7, 2022. Doc. 22.

After conferencing on the matter, the parties are in agreeance that further modification and continuance of the docket control order is appropriate. Namely, counsel for Plaintiff serves as lead liaison counsel for claimants in a mass tort case, Docket No. 3:19-cv-00207 (*Kirby Inland Marine, LP v. FPG Shipholding Panama 47 S.A., et al.*), which is currently pending before this Court and District (the “Kirby Matter”). On March 4, 2022, the Kirby Matter entered the settlement phase. Over the next several months, Plaintiff’s counsel will be engaged in establishing a settlement program and the overseeing disbursement of settlement

funds to thousands of claimants *vis-à-vis* a Special Master appointed by the Court. As a result of this development, the parties have **agreed** and jointly request that the remaining deadlines in the Docket Control Order in this matter be extended for six (6) months as follows:

<b>Case Event</b>	<b>Current Deadline</b>	<b>Proposed New Deadline</b>
<b>Identification of Plaintiffs' experts</b> and production of experts' reports in the form required by Fed. R. Civ. P. 26(a)(2)(B)	Monday, March 14, 2022 (Doc. 22)	Wednesday, September 14, 2022
<b>Identification of Defendants' experts</b> and production experts' reports in the form required by Fed. R. Civ. P. 26(a)(2)(B)	Monday, April 18, 2022 (Doc. 22)	Tuesday, October 18, 2022
<b>Completion of Discovery.</b> Written discovery requests are not timely if they are filed so close to this deadline that the recipient would not be required under Federal Rules of Civil Procedure to respond to until after the deadline.	Friday, May 27, 2022 (Doc. 22)	Monday, November 28, 2022
<b>Dispositive Motions.</b>	Friday, June 10, 2022 (Doc. 22)	Monday, December 12, 2022
<b>All other pretrial Motions.</b>	Friday, July 01, 2022 (Doc. 22)	Monday, January 2, 2023
<b>Exchange pretrial materials</b>	Friday, August 5, 2022 (Doc. 18)	Monday, February 6, 2023
<b>Docket Call</b>	Friday, August 12, 2022, at 9:30 a.m. (Doc. 18)	Monday, February 13, 2023, at 9:30 a.m.

For the above-stated reasons, the parties respectfully request that the Court modify the present scheduling order and enter a new order modifying the remaining deadlines as outlined above.

Respectfully submitted,

/s/ Terry B. Joseph

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**CERTIFICATE OF SERVICE**

I certify that a copy of the above and foregoing has been served upon all known counsel of record by fax, certified mail, return receipt requested, e-service, and/or hand delivery on March 15, 2022.

/s/ William Dills

William Dills